

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

THOMAS C. LYONS,

Plaintiff,

v.

Case Number 06-13381-BC
Honorable Thomas L. Ludington

PATRICIA L. CARUSO, C. HESS,
BLAINE LAFLER,

Defendants.

/

SUPPLEMENTAL ORDER

On December 6, 2006 this Court ordered the plaintiff's case dismissed with prejudice and entered a judgment to that effect on December 7, 2006.

In addition to the Court's conclusion that the magistrate judge correctly concluded that the plaintiff failed to state a claim on which relief may be granted under 28 U.S.C. § 1915A, 28 U.S.C. § 1915(e), and 42 U.S.C. § 1997e(c)(1), the Court further concludes that an appeal from the order of December 6, 2006 would be frivolous and could not be taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 446 (1962); *McGore v. Wrigglesworth*, 114 F.3d 601, 610-611 (6th Cir. 1997).

Accordingly, it is **ORDERED** that the Court has concluded that an appeal from its order of December 6, 2006 does not meet the requirements of 28 U.S.C. § 1915(a)(3) in light of *McGore*.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: January 29, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 29, 2007.

s/Tracy A. Jacobs _____
TRACY A. JACOBS